

REMARKS

This Response is submitted in reply to the final Office Action mailed on April 18, 2006. Claims 17-20, 23, 24 and 26-30 are pending in the patent application. Claim 26 has been allowed. Claims 17 and 30 have been amended. No new matter has been added by this Response.

The drawings were objected to under 37 C.F.R. § 1.83(a) because the Patent Office states that the term “support” must be shown in the drawings. The Patent Office also rejects claim 30 under 35 U.S.C. § 112, second paragraph as being indefinite because the term “support” in claim 30 is not linked to any other structure. Applicants have amended claim 30 to replace the term “support” with the term “cabinet”. Accordingly, Applicants respectfully request that the objections under § 1.83(a) and § 112 be withdrawn.

Claims 17-19 and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 542,341 to Little (“*Little*”) in view of U.S. Patent No. 5,245,801 to Boesvert (“*Boesvert*”). Applicants respectfully disagree with and traverse this rejection for the following reasons.

Amended claim 17 is directed to a method of securing tools removed from a lockable cabinet and placed on a rolling cart without removing the tools from the cart. The method includes suspending on the outside of the cabinet an open-bottom locker with a side-access doorway closable by a lockable door, opening the door, rolling the cart with the tools into the locker through the doorway and closing and locking the door. The combination of *Little* and *Boesvert* does not disclose or suggest the subject matter of amended claim 17.

Little is directed to a kitchen cabinet having an upper half A and a lower half B. Halves A and B combine to form the cabinet and neither are suspended from the other as in the claimed invention.

Boesvert is directed to a grill cover housing having rollers 19 and a closable door 5 (See Fig. 4). *Boesvert* does not disclose or suggest multiple structures such as a cabinet and locker or that such structures are suspended from one another.

For at least these reasons, Applicants respectfully submit that the combination of *Little* and *Boesvert* does not disclose, teach or suggest the claimed invention. Accordingly, Applicants submit that amended claim 17 and claims 18-20 and 23-24, which depend from amended claim 17, are each patentably distinguished over the combination of *Little* and *Boesvert* and are in condition for allowance.

Claims 17, 20 and 27-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,443,311 to Kadlecek (“*Kadlecek*”) in view of British Publication No. 477,158 (“the ‘158 publication”). Applicants respectfully disagree with and traverse this rejection for the following reasons.

A person of ordinary skill in the art would not be motivated to combine *Kadlecek* and the ‘158 publication to achieve the claimed invention. In order to make an obviousness rejection under § 103, there must be some teaching or motivation found in the references to make the combination.

Kadlecek is directed to a pullout work platform for a drawer. Fig. 1 illustrates a tool cabinet 10 which includes a roll cabinet module 11 having a housing 12 and an end cabinet module 45 supported on one of the sidewalls 13 or 14 of the roll cabinet module 11. (Col. 3, lines 32-46). The end module includes drawers which slide outward to enable a person to access

tools or other parts stored in the cabinet. The cabinet 10 includes a plurality of casters or wheels 17 that enable the cabinet to be moved.

The '158 publication discloses a stationary cabinet having hinge doors 8 and a hinged lid 10 on the top of the cabinet. The stationary cabinet of the '158 publication does not move nor is it meant to be moved. Therefore, articles stored in the cabinet are placed on a wagon or a cart which is rolled into and out of the cabinet.

A person of ordinary skill in the art would not be motivated to combine *Kadlecek* and the '158 publication to achieve the claimed invention where there is no teaching, motivation or suggestion in either reference to make such a combination. *Kadlecek* teaches a cabinet having an end module which stores tools in drawers. The cabinet 10 is movable from one location to another. Accordingly, a person of ordinary skill in the art would not be motivated to combine *Kadlecek* with the stationary cabinet of the '158 publication where there is absolutely no motivation in either reference to make this combination.

Nevertheless, even if *Kadlecek* and the '158 publication are combined, the combination does not disclose or suggest the claimed invention.

As stated above, *Kadlecek* discloses a cabinet 10 having a plurality of drawers wherein a plurality of tools are stored in the drawers. *Kadlecek* does not disclose or suggest a cabinet having a lockable door or any type of door. Furthermore, the '158 publication discloses a pair of hinged doors and a hinged lid. The '158 publication does not disclose or suggest lockable doors or providing any types of locks on the doors and lid. Furthermore, the '158 publication states that an object of its invention is that the cart (stored in the cabinet) is "readily accessible" for serving and transporting cocktails in a convenient manner. (Page 1, line 65-75). Applicants submit that it would not be obvious to include locks on the cabinet of the '158 publication where

doing so would inhibit access to the cart in the cabinet and make such a cabinet less convenient and not “readily accessible”.

For at least these reasons, Applicants submit that claims 17, 20 and 27-28 are patentably distinguished over the combination of *Kadlecek* and the ‘158 publication and in condition for allowance.

Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kadlecek* in view of the ‘158 publication and in further view of *Boesvert*. Claim 29 depends from claim 27. Therefore, Applicants submit that claim 29 is distinguishable from the cited references for the reasons provided above with respect to claim 27 and for the further reasons that the combination of *Kadlecek*, the ‘158 publication and *Boesvert* does not disclose or suggest the novel elements of claim 29 in combination with the novel elements of claim 27.


Additionally in the Office Action, the Patent Office requested that Applicants produce any evidence relating to Applicants’ initial disclosure concerning “Matco tools” to the Patent Office. Applicants have found the documents submitted in the initial disclosure regarding Matco tools. Copies of these documents are attached to this Response as Exhibits 1, 2 and 3.

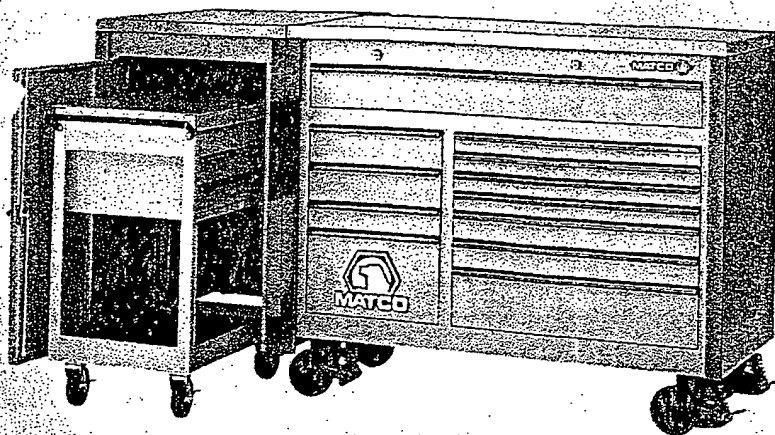
In light of the above, Applicants submit that claims 17-20, 23-24 and 27-29, as well as allowed claims 26 and 30 are patentable and non-obvious over the art of record because the cited art does not disclose, teach or suggest the subject matter of these claims. Accordingly, Applicants request that claims 17-20, 23-24 and 27-29, in addition to allowed claims 26 and 30, be deemed allowable at this time and a timely notice of allowance be issued in this case.

No fees are due. If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (25493-451590) on the account statement.

Respectfully submitted,

Date: 6-16-06

By 
Christopher S. Hermanson,
Reg. No. 48,244
Customer No. 27717

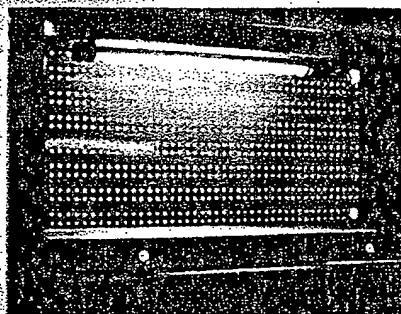


Securing Your Investment

For added tool storage security, Matco has unveiled their MB9503 5-S Series Docking Locker for storing service carts, welders, air compressors or other larger items. The unit is designed to fit Matco's MSC10 Premier Service Cart, but can accommodate all of the company's service cart offerings. Features include:

- Heavy-duty 16-gauge steel construction.
- An integrated design of 3" corner posts and braces that provide extra clearance, regardless of whether the cart has 6" or 8" casters.
- The additional length of the locker also allows it to hang lower than the rollaway, so the cart's bottom shelf is covered.
- A full piano hinge on the door can be hung to open to the left or right.
- The choice of either a butcher block or stainless steel top is also available.

Indicate 54 on inquiry card or click "e-inquiry" at www.pten.com



Tool Storage Lighting

Matco has unveiled their new HTCHLIGHT Workcenter Hutch Light that's designed to illuminate work areas inside the hutch. In addition to being compatible with all of Matco's Workcenter Hutches, the new light:

- Can double as a fluorescent work light.
- Provides 18 watts of bright white light.
- Has a 25' oil and water-resistant cord with a splice connector.
- Features Matco's Cord Caps and Polycarbonate Tube design.
- Comes with 2 magnets for securing the light to hutches or hutch doors, but this also helps in maintaining the light's portability.

Indicate 55 on inquiry card or click "e-inquiry" at www.pten.com

New & Improved
Brighter—New
Transflective™
Display for greater
daylight visibility.

Faster—New
processor increases
boot-up time by
25% with 35%
faster Pathfinder
loading time.

Smarter—New
256 MB of memory
increase the
Determinator
capacity.

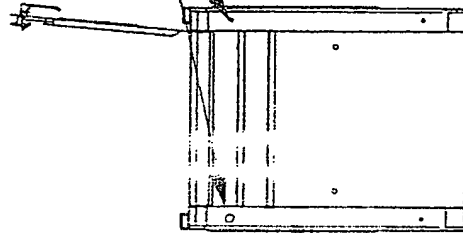
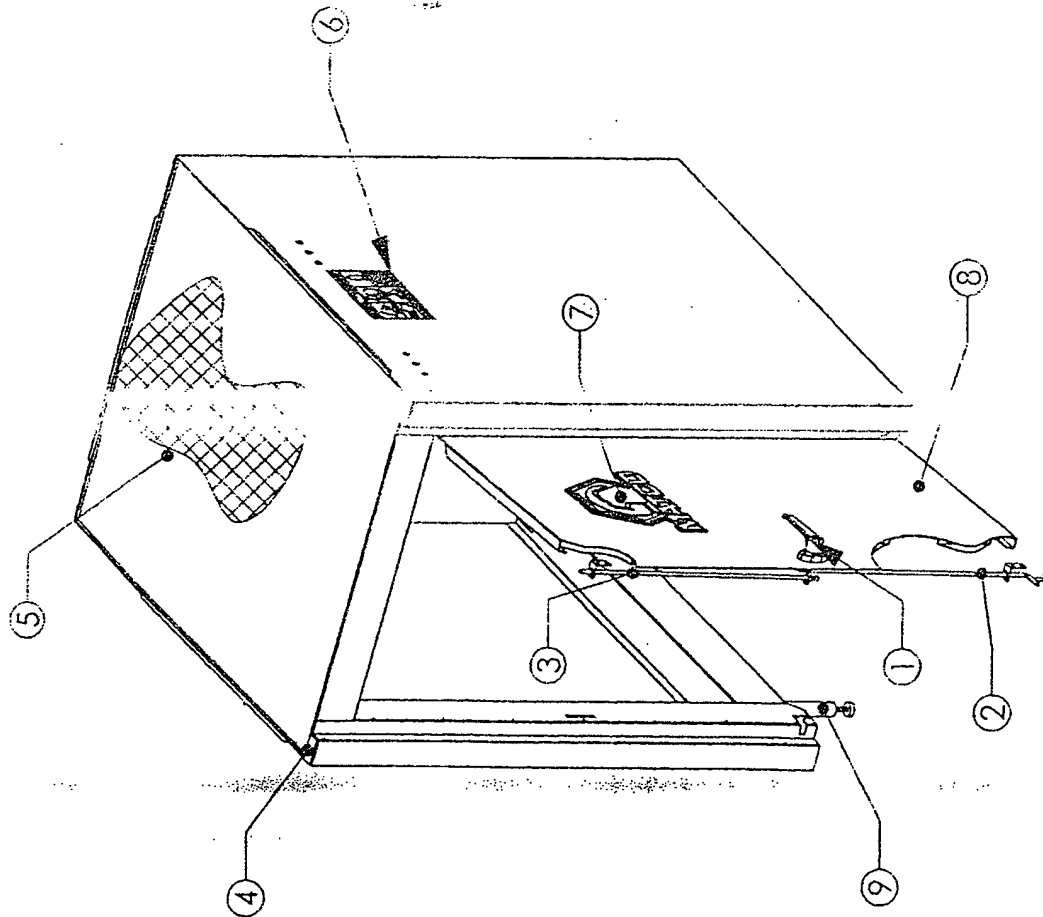


DETERMINATOR

Congratulations on 25 Years of excellence from
your friends at SPX Corporation.

Indicate 56 on inquiry card or click "e-inquiry" at www.pten.com

MB-9503



VIEW FROM BOTTOM

LEG

LEG LEVELER

KEY NO. SERIAL NO. RANGE (After):



DWG. MB-9503-3D
REV. B
LEVEL 3-17-04

LOCKING

ITEM	PART NO.	DESCRIPTION
1	LOCK-B69	LOCK HANDLE (LEFT)
2	LOCK-B63	LOCK HANDLE (RIGHT)
3	RODS-6603	LOCK ROD (BOTTOM)
4	RODS-17938	LOCK ROD (TOP)

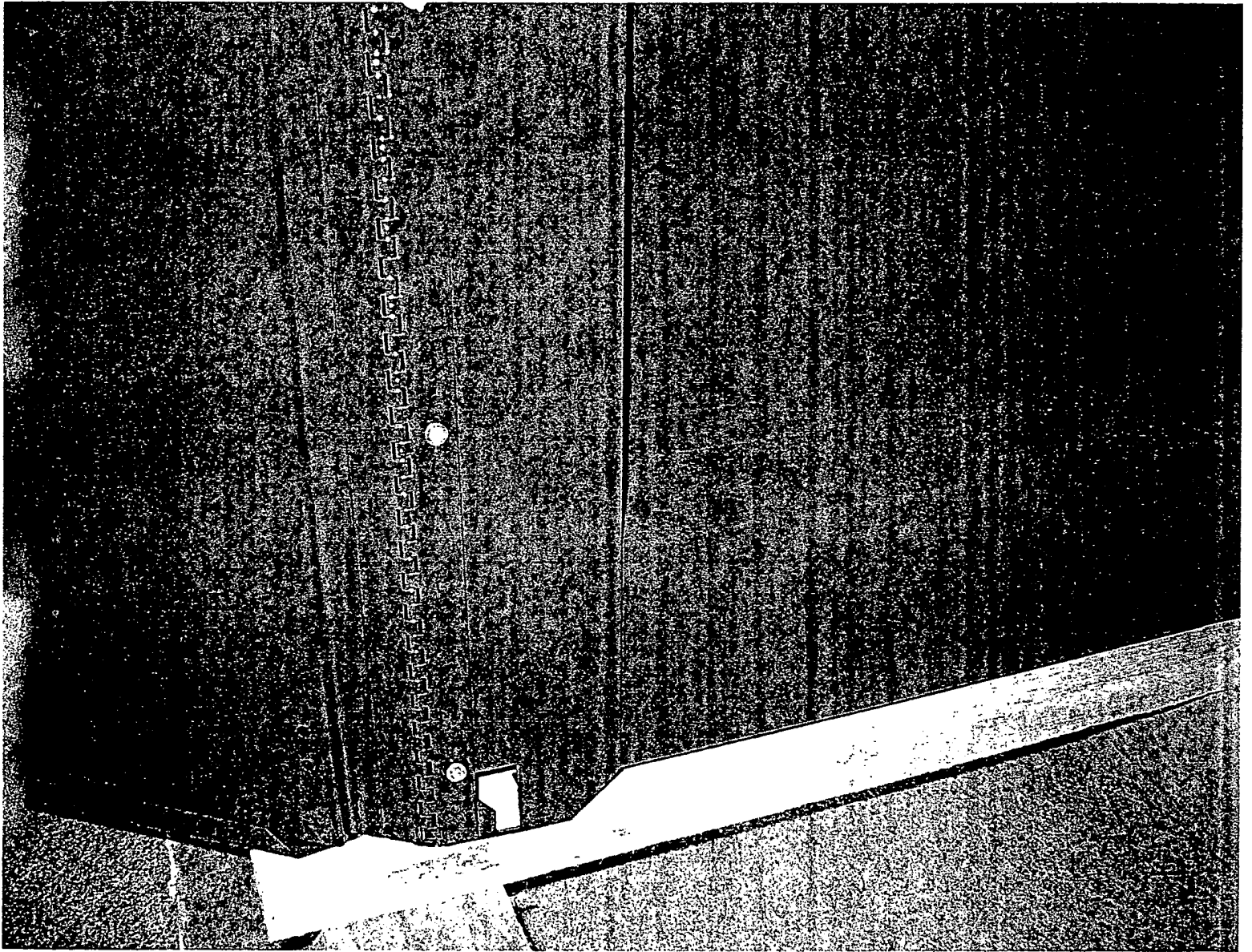
MISC.

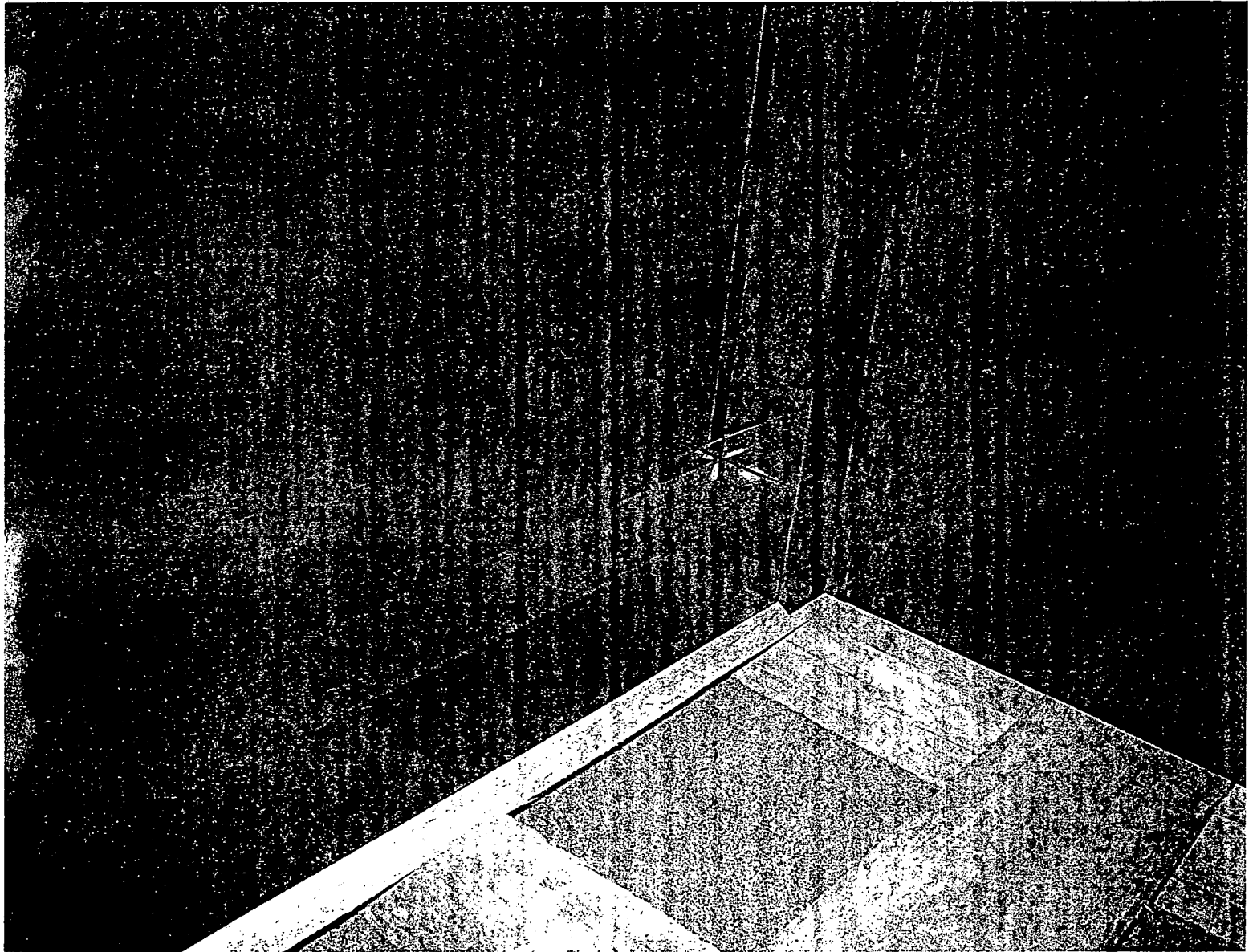
ITEM	PART NO.	DESCRIPTION
4	CAPS-022	INSERT GUIDE
5	BOARD-9503	TOP BOARD
6	LABL-028	CAUTION LABEL
7	NMPL-073C	HEX PLATE (CHROME)
8	NMPL-073G	HEX PLATE (GOLD)
9	LEG-5188	LEG
10	LEG-7500	LEG - 8" SPRING CASIER
11	INST-55M	INSTRUCTION MANUAL
12	INST-037	WARRANTY ENVELOPE
13	HOWE-9503	MB-9503 HARDWARE KIT
14	TOUCH-UP	TOUCH UP PAINT BOTTLE

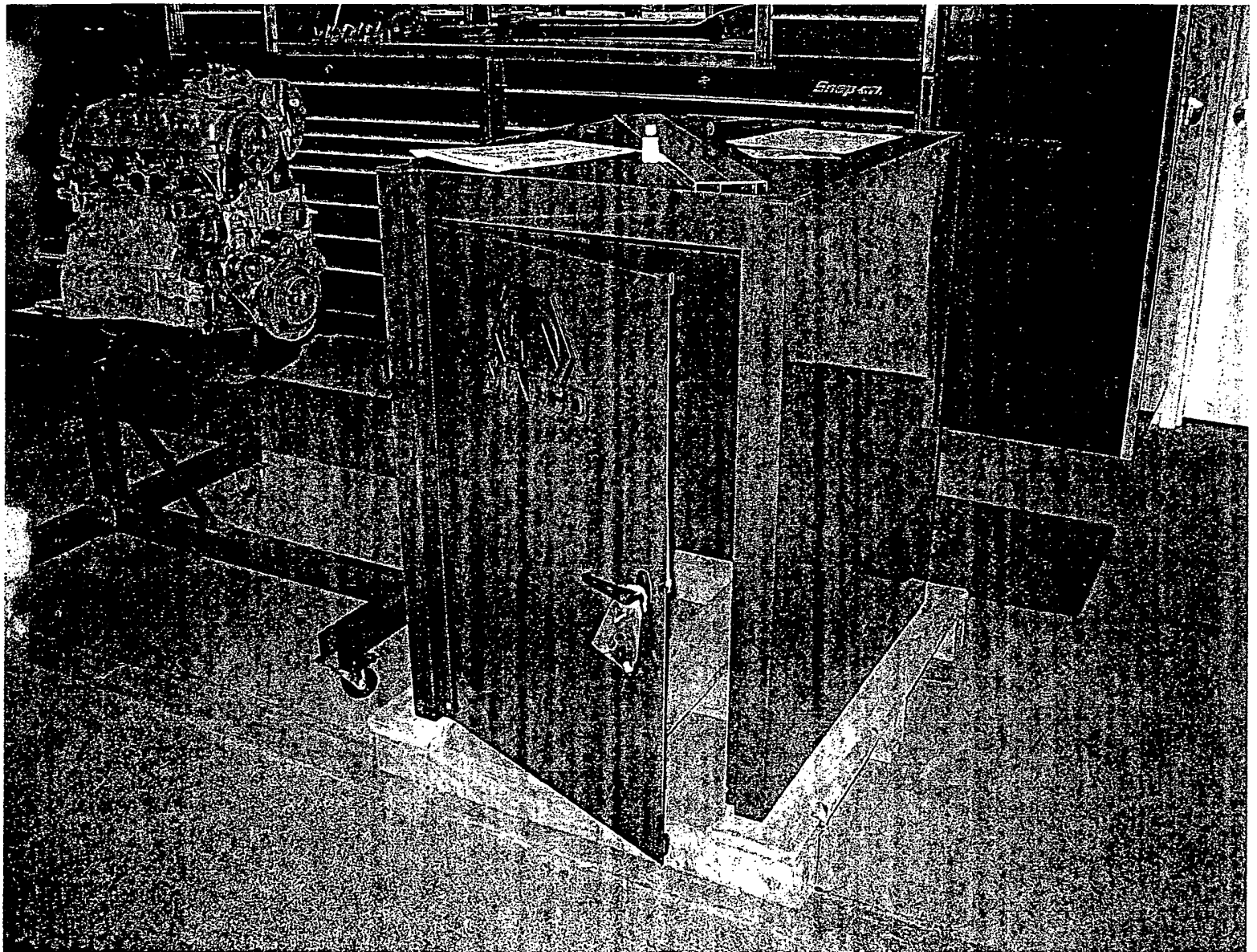
HOWE-TRIMC	TRIM HARDWARE - CHROME
HOWE-TRIMG	TRIM HARDWARE - GOLD
TRIM-C39500	TRIM HARDWARE - BLACK
TRIM-B39500	CORNER TRIM - CHROME
TRIM-BU39500	CORNER TRIM - BLACK
TRIM-R39500	CORNER TRIM - BLUE
TRIM-G39500	CORNER TRIM - RED
TRIM-C39500W	DOUBLE CORNER TRIM - CHROME
TRIM-R39500W	DOUBLE CORNER TRIM - BLACK
TRIM-BU39500W	DOUBLE CORNER TRIM - BLUE
TRIM-G39500W	DOUBLE CORNER TRIM - RED

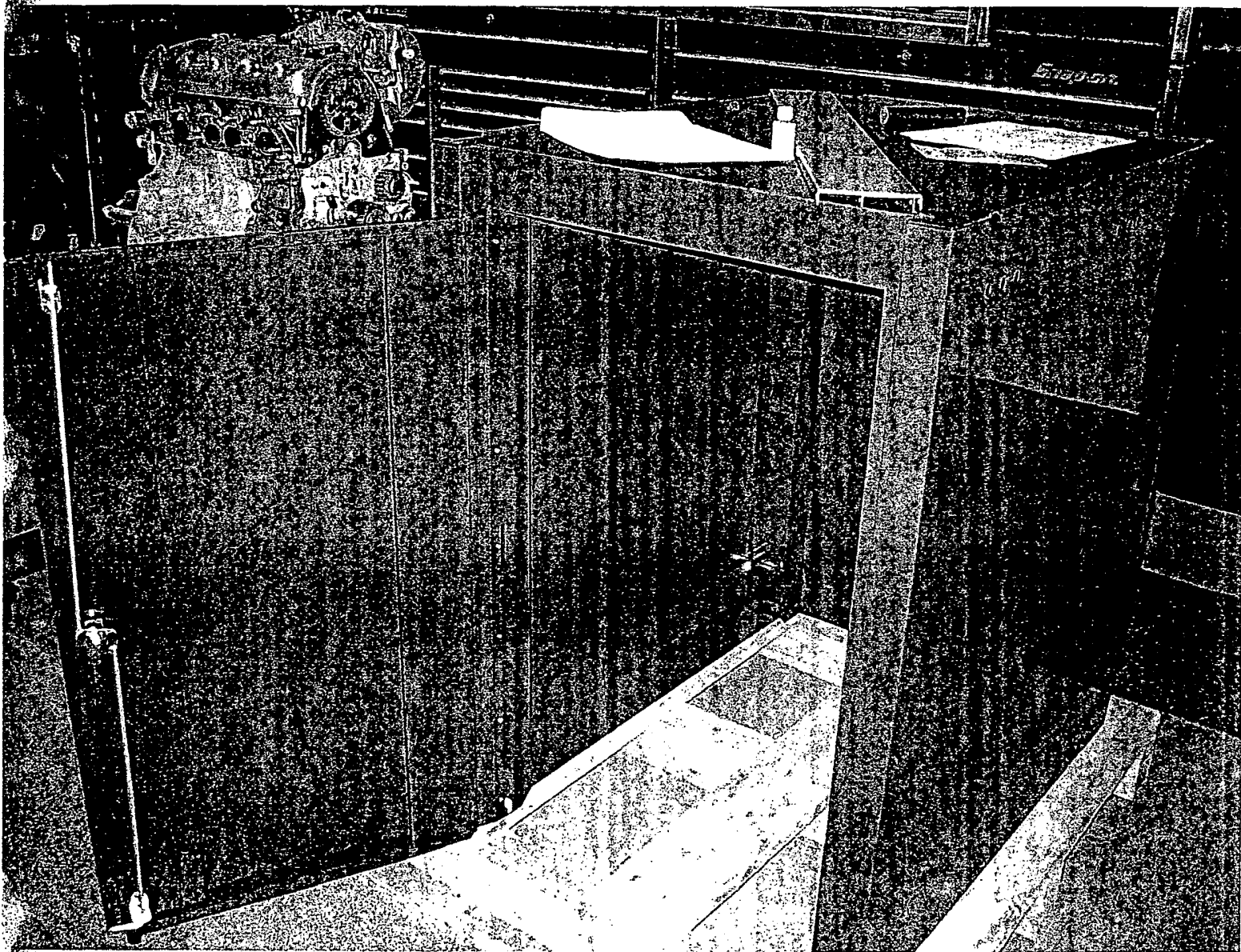
USE OF ADJUSTABLE LEG

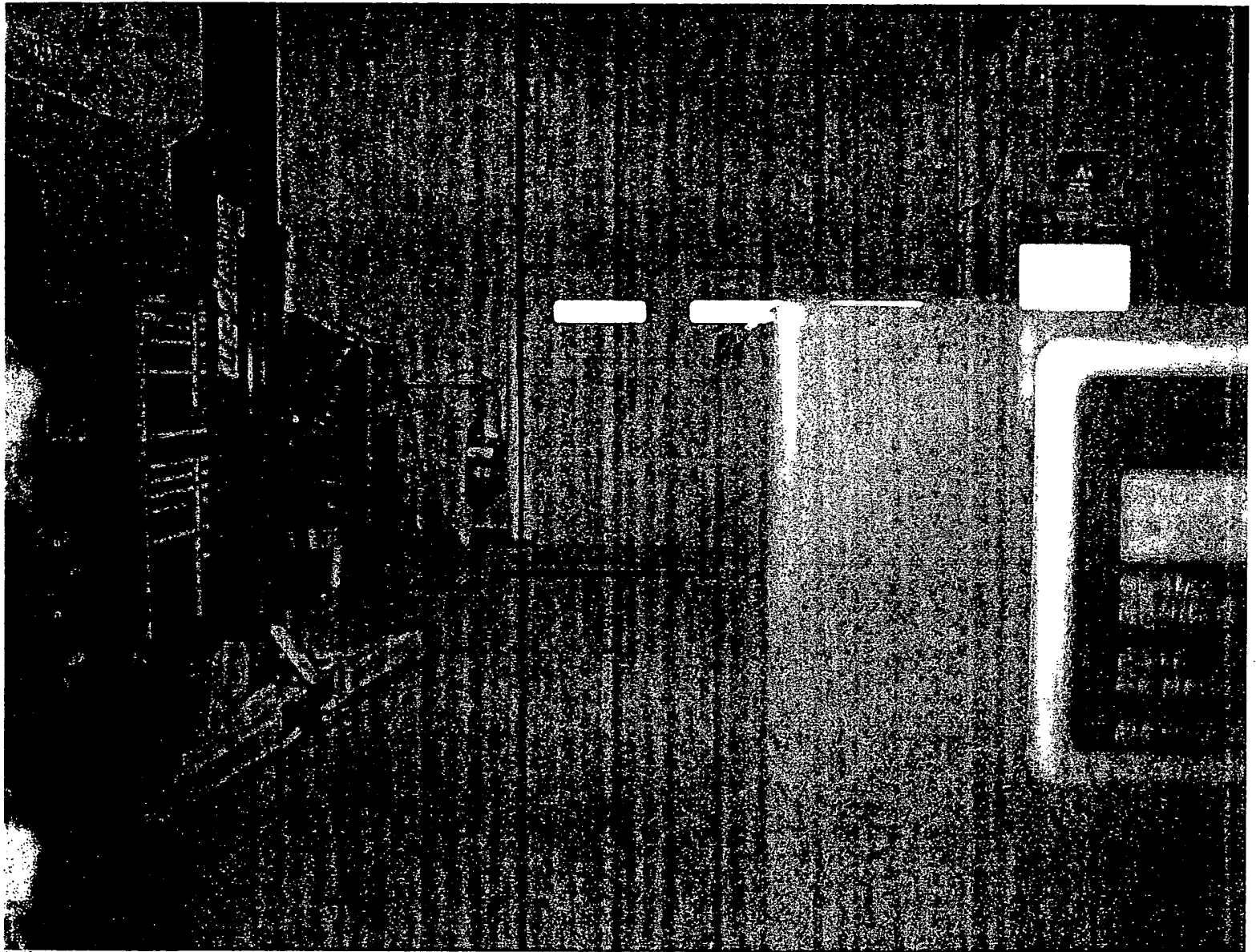
ABOUT 4" BACK FROM THE FRONT OF THE CASE ON THE UNDERSIDE THERE ARE THREADED HOLES FOR THE MOUNTING OF THE INCLUDED LEG. THE LEG MUST BE USED WHENEVER THE MB-9503 IS HUNG WITH THE DOOR BEING ACCESSED FROM THE FRONT OF THE ROLLAWAY (LEG NOT REQUIRED WHEN THE DOOR IS ACCESSED FROM THE SIDE OF THE ROLLAWAY). SCREW THE LEG INTO THE THREADED HOLE UNTIL IT BOTTOMS OUT. SCREW LEG LEVELER INTO THE BOTTOM OF THE LEG. ADJUST LEG LEVELER UNTIL IT CONTACTS THE FLOOR AND THE CASE IS HELD SQUARE (DOOR GUARANTEE). CROSS THE TOP SHOULD BE CONSISTENT). REMOVED OR ADJUSTED PRIOR TO MOVING THE BOX.

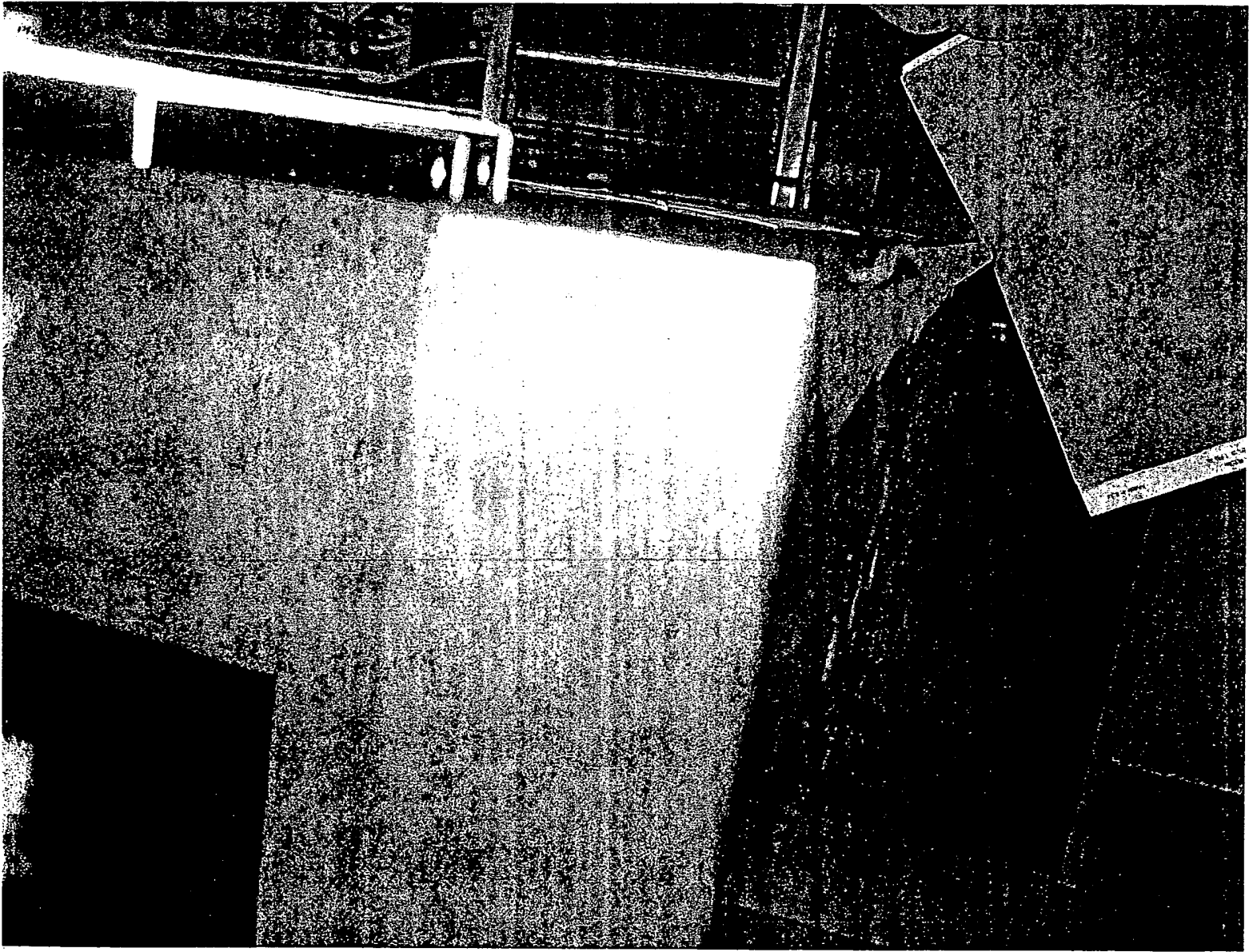


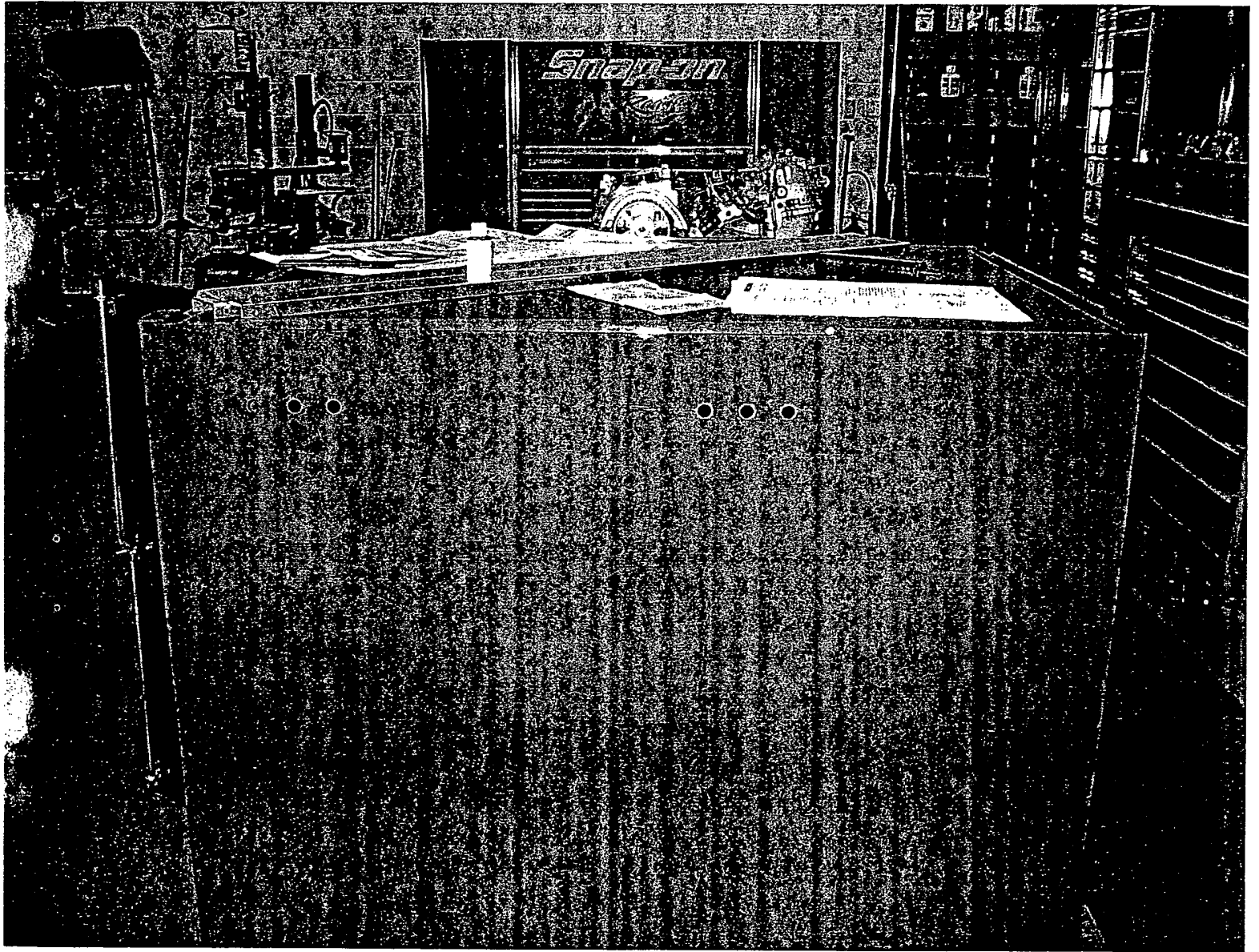












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